

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**DAVID D. INGWERSEN,**

**Plaintiff,**

**v.**

**PLANET GROUP, INC. and WEST  
PARTNERS, LLC,**

**Defendant.**

**8:09CV249**

**ORDER TO  
CONSOLIDATE CASES**

**PLANET GROUP, INC.,**

**Plaintiff,**

**v.**

**DAVID INGWERSEN,**

**Defendant.**

**8:09CV263**

**ORDER TO  
CONSOLIDATE CASES**

**PLANET GROUP, INC.,**

**Plaintiff,**

**v.**

**DAVID INGWERSEN,**

**Defendant.**

**8:10CV453**

**ORDER TO  
CONSOLIDATE CASES**

In documents filed December 22, 2010, counsel advised that the parties consent and agree to the consolidation of Case No. 8:10cv453 with Consolidated Cases Nos. 8:09cv249 and 8:09cv263.; however, they could not agree to a proposed case progression schedule. The court will enter a case progression schedule by separate order.

**IT IS ORDERED:**

1. Case No. 8:10cv453 is hereby consolidated for discovery, trial, and all other purposes with Consolidated Cases Nos. 8:09cv249 and 8:09cv263. The cases will be tried to a jury in Omaha, Nebraska.

2. Case No. 8:09cv249 remains designated as the "Lead Case." Cases Nos. 8:09cv263 and 8:10cv453 are designated as the "Member Cases."

3. The court's CM/ECF System now has the capacity for "spreading" text among the consolidated cases. If properly docketed, the documents filed in the Lead Case will automatically be filed in all Member Cases. To this end, the parties are instructed to file all further documents (except those described in paragraph 4) in the Lead Case, No. 8:09cv249, and to select the option "yes" in response to the System's question whether to spread the text.

4. The parties may not use the spread text feature to file complaints, amended complaints, and answers; to pay filing fees electronically using pay.gov; or to file items related to service of process.

5. If a party believes that an item in addition to those described in paragraph 4 should not be filed in all the consolidated cases, the party must move for permission to file the item in one or more member cases. The motion for permission must be filed in all the consolidated cases using the spread text feature.

**DATED December 23, 2010.**

**BY THE COURT:**

**s/ F.A. Gossett, III  
United States Magistrate Judge**